



U.S. House of Representatives
Committee on Transportation and Infrastructure

James L. Oberstar
Chairman

Washington, DC 20515

John L. Mica
Ranking Republican Member

July 18, 2007

David Heysfeld, Chief of Staff
Ward W. McCarragher, Chief Counsel

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Hon. James L. Oberstar
Chairman, House Committee on Transportation and Infrastructure
2165 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Oberstar:

On July 11, 2007 the House Committee on Appropriations marked up the Departments of Transportation, and Housing and Urban Development, and Related Agencies Appropriations Act for fiscal year 2008. This bill contains several provisions that are legislative in nature, in violation of clause 2 of Rule XXI of the Rules of the House.

One of the most egregious examples of a violation of clause 2 of Rule XXI in this bill is the inclusion of a \$3 billion rescission of unobligated contract authority from the Federal-Aid Highway Program. A rescission of this size will have a severe impact on the ability of State departments of transportation to implement their highway programs.

When the Departments of Transportation, and Housing and Urban Development, and Related Agencies Appropriations Act for fiscal year 2008 is debated on the House Floor we ask that you, as chairman of the Committee on Transportation and Infrastructure, raise a point of order to strike this provision and all other provisions that are legislative in nature.

If the Rule governing debate on this bill prevents us from striking these provisions, we hope that you will vote against the Rule and organize all of the Members of the Committee on Transportation and Infrastructure to do the same.

During the Committee on Transportation and Infrastructure's full committee mark-up on June 14, 2007 you mentioned that there were several issues in the Departments of Transportation, and Housing and Urban Development, and Related Agencies Appropriations Act for fiscal year 2008 that you were unhappy with. You said that if this bill was brought up on the House Floor and "we can not make points of order and are otherwise disadvantaged in the Rule, then I will work to bring down the Rule."

Mr. Chairman, we look forward to working with you to ensure that these legislative provisions are removed from this bill and that the jurisdiction of our Committee is protected.

Sincerely,

A large, stylized handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

John L. Mica
Ranking Member
Committee on Transportation
and Infrastructure

A handwritten signature in black ink, written in a cursive style that reads "John J. Duncan, Jr." with a period at the end.

John J. Duncan, Jr
Ranking Member
Subcommittee on Highways
and Transit